

**CITY COUNCIL MEETING
JANUARY 23, 2012**

Call to Order

Mayor Merrifield called the meeting to order at 6:00 p.m. in the Council Chambers, Franklin City Hall. Salute to the Flag was said, led by Councilor Feener.

In Attendance

Councilor Dzujna, Councilor Cournoyer, Councilor Feener, Councilor Trudel, Councilor Starkweather, Councilor Sharon, Councilor Clarenbach, Mayor Merrifield, and City Manager Dragon.

Absent

Councilor Boyd and Councilor Desrochers

Public Hearings

Headstart Program – Two consecutive public hearings will be held concerning an application for a Community Development Block Grant (CDBG) up to \$350,000 on behalf of Headstart for renovations to the Bessie Rowell School.

Note: Informational packets were available for the public.

Mayor Merrifield opened the first public hearing and offered the following information:

Community Development Block Grant funds are available to municipalities through the New Hampshire Community Development Finance Authority. Up to \$500,000 annually is available on a competitive basis for economic development, up to \$500,000 for public facility and housing projects and up to \$350,000 for emergency activities that directly benefit low and moderate income persons. Up to \$12,000 is available for feasibility study grants.

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This is a proposed application to the Community Development Finance Authority for up to \$350,000 in Community Development Block Grant funds. The City will retain up to \$25,000 for administrative costs. The remaining funds, up to \$325,000, or the benefit of, will be sub-granted to Headstart for renovations to the Bessie Rowell School where they intend to relocate to. Headstart serves primarily low and moderate income households.

This project conforms with Franklin's Housing and Community Development Plan's Goal of: Address public facility and social service improvement and coordination that will benefit the residents of Franklin. Encourage affordable daycare options for residents. (Long Term and Short Term Goal)

Funding request: up to \$350,000.

Mayor Merrifield requested public comments. There were no comments from the public. The public hearing was closed.

Mayor Merrifield opened the second public hearing and offered the following information:

This hearing concerns the Residential Anti-Displacement and Relocation Assistance Plan. Although this project does not involve any displacement or relocation of persons or businesses, if the City were to undertake a CDBG project which involved displacement or relocation they would follow this plan. The plan outlines the measures they would take to find comparable, suitable housing for persons (or businesses) displaced or relocated.

Mayor Merrifield requested public comment. There were no comments from the public. The public hearing was closed.

Resolution #08-12 – this resolution revises FY12 appropriations and matching revenue for the CDBG Tiny Twisters Grant.

Mayor Merrifield opened the public hearing, no one came forth to speak, and the public hearing was closed.

Resolution #06-12 and Resolution #07-12 – approval of these resolutions would authorize the City Manager to file an application with the State of New Hampshire Drinking Water State Revolving Fund (DWSRF) Program and would authorize the Mayor, City Council and City Manager to borrow up to \$3,030,000 from the State of New Hampshire Drinking Water State Revolving Loan Fund for the Salisbury Road/North Main Street Water Storage Tank Replacement Project.

Mayor Merrifield opened the public hearing, no one from the public came forth to speak, and the public hearing was closed.

Approval of Application for a CDBG Grant up to \$350,000 on Behalf of Headstart

Motion made by Councilor Starkweather that the Franklin City Council adopts the Anti-Displacement and Relocation Assistance Plan. Motion seconded by Councilor Trudel. All in favor, motion passes.

Motion made by Councilor Feener that the Franklin City Council approves the submittal of the CDBG application on behalf of Headstart for renovations to the Bessie Rowell School and authorize the City Manager to sign and submit the application, and upon approval of the CDBG application, authorize the City Manager to execute any documents which may be necessary to effectuate the CDBG contract. Motion seconded by Councilor Starkweather. All in favor, motion passes.

Resolution #08-12 – this resolution revises the FY12 appropriations and matching revenue for the Tiny Twisters CDBG Grant.

Motion made by Councilor Feener that the Franklin City Council adopt Resolution #08-12 by a roll call vote, motion seconded by Councilor Starkweather.

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Councilor Clarenbach commented there no administrative costs for the City for this or were they already removed and he was advised it is in the \$238,000.

Roll Call:

Councilor Clarenbach – Yes

Councilor Sharon – Yes

Councilor Starkweather – Yes

Councilor Trudel – Yes

Councilor Dzujna – Yes

Councilor Cournoyer – Yes

Councilor Feener – Yes

All in favor, Resolution #08-12 passes.

Resolution #06-12 and Resolution #07-12 – these resolutions concern a loan application with the State of New Hampshire Drinking Water State Revolving Fund Program and the authorization to borrow up to \$3,030,000 for the Salisbury Road/North Main Street Water Storage Tank Replacement Project.

Motion made by Councilor Dzujna that the Franklin City Council adopt Resolution #06-12 and Resolution #07-12 by a roll call vote, motion seconded by Councilor Starkweather.

Mayor Merrifield questioned whether the Council would be approving an actual project and Director Sullivan advised that if the Council approves the resolutions they would be approving the project. Councilor Clarenbach requested that Director Sullivan offer some highlights regarding the project.

Director Sullivan advised after the last City Council Meeting he went back to the State on three different occasions to inquire if the monies could be used on the West Franklin tanks as the Municipal Services Committee had recommended. In the beginning it was an empathic no but for some reason the State has reconsidered and three weeks ago Director Sullivan received a call from the State stating they would allow the funds to be used for the tanks in West Franklin. One option that was looked at was one tank in lieu of two in West Franklin; that

option was looked at by Ms. Janet Levy and it is the staff's recommendation that the two 500,000 gallon tanks be maintained. Based on potential future development as most of the City's industrial property is located in West Franklin, if one tank were done it would affect the system North of Daniel Webster Drive; and it would impact the bird streets. So the discussion was to keep both tanks on line and it would not require any additional property acquisition going that way. Director Sullivan commented that his number one goal knowing that it is 40% forgiveness and we have not gone out to bid on the project, presently working off of estimated numbers, the tanks themselves are about \$500,000 each. There is also some additional pipe work that needs to be done that relates mainly to the North Main Street Tank. The \$3,030,000 is more or less a place holder but the City could not be obligated to take the total amount if the bids came in 2.5 million or less. He also stated that hopefully this work would dovetail with the West Franklin, the USDA work to improve the West Franklin system.

Councilor Dzujna thanked Director Sullivan for pursuing this project and he asked when the project would actually start. Director Sullivan responded if the City gets approval, the final application would be filed and design done in the spring and actual construction in the summer, 2012 and by doing two tanks the City will receive a better price from the vendor. Director Sullivan stated it is feasible that both tanks could be done in one construction season. Councilor Starkweather commented that the City should make sure that in the grant application the City is covered for future main work as a possibility if there is money left over. Councilor Clarenbach stated for him the one tank option is half the money of the two tank option even though it is 750,000 gallons which are estimates; he stated he does not envision the high use of water in industry that use to be, everyone is recycling water because it is too expensive. The demands were not listed, do we know what the systems draws daily. Director Sullivan stated he would have to check on that. He did state one of the main things is the North Main Street tank there isn't the demand. Director Sullivan stated this could be revisited by the MSD Committee. Director Sullivan commented whether one or two tanks are done, his concern is to reserve the monies. Councilor Clarenbach commented that his concern is the City has a million gallons in that tank and only 200,000 is used per

day and usage will not be anywhere near the million gallons so we build bigger containers and store water. Director Sullivan commented that perhaps a smaller tank on North Main Street might be an option. Director Sullivan stated he is not opposed to putting a 250,000 gallon tank on North Main. City Manager Dragon cautioned that at some point a project needs to be chosen and go with it and not one tank, one and half tanks, two tanks because as easy as the State has been to work with at some point they will draw a line and the City needs to move forward if construction is to happen in the summer. Councilor Clarenbach commented that there had been discussion to hold an MSD Committee meeting prior to this Council meeting but by the time all the information came through there was not enough time to hold a meeting. Councilor Clarenbach stated they could have a MSD Committee meeting and work out some of the details one way or another but that should not stall the application process. Director Sullivan commented that if the Council gives authorizations tonight, the application will be filed and start the environmental review and get all the certifications out so the funds are there. Director Sullivan also stated he would encourage everyone to get any questions they might have to him prior to the MSD Committee meeting. Manager Dragon commented that the environmental review and those types of reviews are very site specific.

Mayor Merrifield clarified stating that a yes vote on the two resolutions is going to put the authority for clearly defining the project in the hands of the MSD Committee. Manager Dragon commented no and Mayor Merrifield then asked what is he hearing. Councilor Clarenbach stated the discussion was MSD could vet out the rest of the information that is here. Currently the way it is presented tonight there are two tanks.

Director Sullivan stated he would like to get the authorization tonight from the Council and his recommendation is to go with two tanks but if it should go to one tank, it would be a smaller project with less money to be used and along with the water main work.

Councilor Feener commented the bond expires in 2014 which is currently \$91,000, billing has gone along at a rate for a payment of \$240,000/year for the water treatment project; Director Sullivan commented that money has been put aside. Councilor Feener commented it will come in at \$172,000 so the new payment of \$120,000, we will not see any increase in the future for this project. Director Milner commented there will be an extra \$38,000. Councilor Clarenbach commented that there is also working capital.

Roll Call Vote on Resolution #06-12

Councilor Clarenbach – Yes

Councilor Sharon – Yes

Councilor Starkweather – Yes

Councilor Trudel – Yes

Councilor Dzujna – Yes

Councilor Cournoyer – Yes

Councilor Feener – Yes

Resolution #06-12 passes.

Roll Call Vote on Resolution #07-12

Councilor Clarenbach – Yes

Councilor Sharon – Yes

Councilor Starkweather – Yes

Councilor Trudel – Yes

Councilor Dzujna – Yes

Councilor Cournoyer – Yes

Councilor Feener – Yes

Resolution #07-12 passes.

Appointments to the WRBP Advisory Board

Motion made by Councilor Sharon that the Franklin City Council appoints Brian Sullivan, Director of Public Works to the WRBP Advisory Board and City Manager Elizabeth Dragon as the Alternate representative to the WRBP Advisory Board. Appointments to remain in effect until such time replacements would be appointed. Motion seconded by Councilor Clarenbach. All in favor, motion passes.

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Other Business

City Manager Dragon advised that the insert in the packet concerning the Great Gains Forest Timber Sale and the Forester had put this out to bid to 14 different saw mills and loggers and received only 3 bids and the highest bid was \$26,585.00 and the recommendation is to go ahead with the project. It is unlikely the work will be done this winter but they are hoping to try.

Manager Dragon stated she would recommend the Conservation Commission move forward with this project unless the Council has an objection. Mayor Merrifield asked if there were any objections and there were none.

Manager Dragon advised there has been a Notice of Decision from the City Attorney regarding the City's Sex Offender Ordinance and in summary sex offenders can now live within 2,500 feet of the places the ordinances stated they could not live. It is stated that the City needed to have more burden of proof in showing that the City went through a process to show that the City is protecting children by making this restriction. Mayor Merrifield stated he is troubled by this as the Court is supplanting the judgment of the Council.

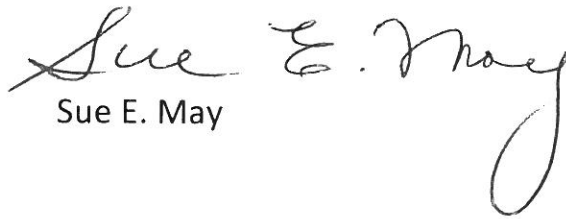
Manager Dragon this Thursday is the mediation with Rural Development in Concord. Mayor Merrifield advised that House Bill 648 (eminent domain bill) related to Northern Pass has been rescheduled in the Senate for Wednesday and it is suggested that phone calls to our State Senator would be welcome. We support the Carson amendment.

Manager Dragon stated there is a House Bill put forth by Laconia to change the Advisory Board for the Winnepesaukee river Basin Program giving a weighted vote based on population that would give Laconia a great advantage over the other communities. She advised she testified against that bill last week and so did most of the other communities.

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***Motion to adjourn made by Councilor Feener and seconded by Councilor Sharon.
All in favor, meeting adjourned at 6:45 p.m.***

Respectfully submitted,

A handwritten signature in cursive script that reads "Sue E. May". The signature is written in black ink and is positioned above the printed name.

Sue E. May

